

Printing Services
Request for Qualification (RFQL) 2795

Proposals Due: January 22, 2014 by 5:00 PM Eastern Time*

The New York State Energy Research and Development Authority (NYSERDA) is seeking Proposals to pre-qualify firms to provide **all or part of** NYSERDA's required programmatic printing services, including: pre-press, printing, photocopying, mailing services, and large format items. Materials printed for NYSERDA programs may include, but are not limited to: perfect- or spiral-bound technical reports, manuals, booklets, folders, brochures, business reply mail pieces, postcards, labels, posters, presentation checks, display boards, and other printed materials. Proposers must be responsive to Executive Order No. 4 "Establishing a State Green Procurement and Agency Sustainability Program" (Attachment D).

The proposer may submit qualifications for any or all parts of this RFQL. Multiple firms may be selected as pre-qualified providers of required printing services. For future projects, qualified contractors will participate in mini-bids on individual projects as needed. A contractor will be selected from each mini-bid based on, but not limited to, the following criteria: capability, expertise, cost, and availability. The contract term will be two years, with the possibility for two one-year extensions.

Proposal Submission: Proposers must submit ten (10) paper copies of the proposal, including at least one (1) set of samples, with a completed and signed Proposal Checklist attached as the front cover of each copy, one of which must contain an original signature. Proposers must also submit one (1) CD of the proposal. Proposals must be clearly labeled and submitted to:

Roseanne Viscusi, RFQL 2795
NYS Energy Research and Development Authority
17 Columbia Circle
Albany, NY 12203-6399

No communication intended to influence this procurement is permitted except by contacting the following designated contacts. For technical questions concerning this solicitation, contact Diane Welch at (518) 862-1090, ext. 3276 or dlw@nyserda.ny.gov. For contractual questions concerning this solicitation, contact Elyda Ahmed at (518) 862-1090, ext. 3232 or ela@nyserda.ny.gov. Contacting anyone other than these designated contacts (either directly by the proposer or indirectly through a lobbyist or other person acting on the proposer's behalf) in an attempt to influence the procurement: (1) may result in a proposer being deemed a non-responsible offerer, and (2) may result in the proposer not being awarded a contract.

**Late proposals will be returned. Incomplete proposals may be subject to disqualification. It is the bidder's responsibility to ensure that all pages have been included in the proposal. Faxed or e-mailed proposals will not be accepted. Proposals will not be accepted at any NYSERDA location other than the address above. If changes are made to this solicitation, notification will be posted on NYSERDA's web site at www.nyserda.ny.gov.*

I. Introduction

The New York State Energy Research and Development Authority (NYSERDA), a public benefit corporation, has been helping New York save energy since 1975. NYSERDA offers programs, technical support, and funding to help businesses, municipalities, research institutions, and consumers become more energy efficient, protect the environment, and save money. By supporting the development and commercialization of new technologies, NYSERDA programs move New York toward a clean-energy future, deliver economic benefits, and prepare New York workers for green-collar jobs. NYSERDA program staff has significant expertise that enables them to evaluate energy-related projects to ensure the best outcome. NYSERDA invests in programs that support New York State's energy goals – reducing energy consumption while promoting the use of renewable resources and protecting the environment.

NYSERDA is seeking proposals to pre-qualify firms for **all or part of** NYSERDA's required programmatic printing services. Materials printed for NYSERDA programs may include, but are not limited to: perfect- or spiral-bound technical reports, manuals, booklets, folders, brochures, business reply mail pieces, postcards, labels, posters, presentation checks, display boards and other printed materials. Qualified contractors will participate in mini-bids for individual future project, as needed. A contractor will be selected from these mini-bids based on, but not limited to, the following criteria: capability, expertise, cost, and availability.

II. Program Requirements

NYSERDA will pre-qualify contractors through this solicitation. Multiple proposers may be selected as pre-qualified contractors for all or part of the services proposed. Master Contracts for pre-qualified contractors will have a term of two years, with the possibility of two one-year extensions. Individual future printing projects will be awarded through a mini-bid process on an as-needed basis. Bids will be solicited to prequalified contractors only and pre-authorized in writing by NYSERDA. The award for a given project will be valid for both the initial print and any reprints where artwork is unchanged.

Proposers must demonstrate the ability to provide materials compliant with Executive Order No. 4 "Establishing a State Green Procurement and Agency Sustainability Program" (Attachment D), and the printing and ink specifications provided by the Executive Order No. 4 Working Group (Attachments E and F).

Projects will be directed by and coordinated with NYSERDA's Marketing staff. Contractors must be able to provide same-day or rush turnaround, as well as immediate pick-up and delivery, as needed.

III. Proposal Requirements

Proposals shall be submitted as follows:

A. Introduction, Cover Letter, and Abstract

Proposers must submit a cover letter on company letterhead that references this solicitation and provides a brief summary of their proposal. The cover letter must also include firm name, address, phone and fax numbers, e-mail address, contact person, year the firm was established, and type of firm (partnership, corporation, sole proprietorship, etc.). The cover letter must be signed by a person with the authority to enter into a contract with NYSERDA.

B. Qualifications

Qualifications shall consist of three parts: Part I. Technical Proposal, Part II. Cost Quotation, and Part III. Samples. The three parts must be in the following format:

Part I. TECHNICAL PROPOSAL

To meet the evaluation criteria of this solicitation for printing services, each proposer shall address in narrative form how it will satisfy the requirements discussed within this RFQL. The narrative must provide adequate information to demonstrate effectively the proposer's capability to perform all the work and services required, as follows:

1. Indicate how long your firm has been in continuous operation and its lines of business and growth within the past five years.
2. Include a list of projects completed within the last five years comparable to the types of printing projects listed in Section I. The proposer must note the extent of its contribution to the final product, along with a name, title, company name, address, and phone/fax numbers for a contact at the organizations for which the materials were produced. NYSERDA reserves the right to request information from any source so named.
3. List a sampling of prior, existing, or proposed contracts or other forms of relationships with the State of New York or any of its operating agencies, including public authorities and local government.
4. Indicate how your firm is prepared to accommodate Executive Order No. 4 "Establishing a State Green Procurement and Agency Sustainability Program" (Attachment D). Note that NYSERDA has selected three standard papers that satisfy Executive Order No. 4, are cost effective and are in line with NYSERDA's brand specifications: Chorus Art Silk (80# and 100#) Mohawk Options (80# and 100#), and Enviro 100 Print/Environment Writing (70#, 80#, and 100#). As part of your response, in the event that these papers are unavailable or do not meet the specifications for a specific job, please supply samples of any papers you would be likely to recommend as alternatives.
5. List all environmental and union certifications that your firm has attained and show any print-eligible logos, symbols, or marks affiliated with those certifications. Indicate in what way your firm has achieved the levels of criteria required for certification by either EcoLogo™ or the Sustainable Green Printing Partnership (SGP) (Attachments G and H)¹, as stipulated in the printing specification corresponding to Executive Order No. 4 (Attachment E).
6. Indicate your current workload and your ability to provide printing services in a timely manner. Proposers must be able to accommodate same-day or rush turnaround. Immediate pick-up and delivery are sometimes required.
7. Please submit detailed information about your printing facilities; i.e., two-color press, four-color press, six-color press, in-house binding, in-house die-cutting, offset, digital or other. Describe your firm's resources and procedures for providing printing services and the qualifications of your account executive.
8. Provide any other significant information about your firm that is relevant to demonstrating its experience and why it is qualified to meet NYSERDA's needs.

¹ Actual certification with these either of these two regulating organizations is not required by Executive Order No.4, but the proposer must perform at these certification levels.

9. Please provide a minimum of three references who can speak to your firm's level of reliability, quality, rates and environmental stewardship.

Part II. Cost Quotation

Proposer must complete the Cost Quotation Form for Example Projects (Attachment C). Proposer should submit sample bids for every category of materials for which proposer would like to be qualified, and that would be included in a Master Contract. Blank sections will eliminate proposer from consideration for that category. Actual quotations will be acquired during the mini-bid process. Prices should be consistent with sample quotes.

Part III. Samples

Samples: Proposer must include at least one (1) set of samples as applicable to the proposal. Proposer should provide samples demonstrating quality of work relevant to the categories from Part II for which proposer seeks to be prequalified, such as:

- Saddle-stitch, perfect-bound, multifold samples, folder(s)
- Brochures: one-color, two-color, four-color; single and multiple pages; a variety of folds
- Technical and annual reports
- Postcard sample
- Alternate paper samples likely to be recommended if NYSERDA's preferred paper is unavailable

Proposer may request that any samples provided to NYSERDA be returned to the proposer following the evaluation and selection process for this solicitation.

Proposers must submit the appropriate number of copies of the completed proposal to the attention of Roseanne Viscusi at the address on the front of this Request for Qualification (RFQL). A completed and signed Proposal Checklist (Attachment A) must be attached as the front cover of each copy of the proposal. One proposal checklist must contain an original signature. **Late proposals and proposals lacking the appropriate completed and signed Proposal Checklist will be returned.** Faxed or e-mailed copies will be not be accepted.

Procurement Lobbying Requirements - State Finance Law sections 139-j and 139-k

Procurement lobbying requirements contained in State Finance Law sections 139-j and 139-k became effective on January 1, 2006. (The text of the laws is available at: <http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html>). In compliance with §139-j and §139-k of the State Finance Law, for proposals submitted in response to this solicitation that could result in agreements with an annual estimated value in excess of \$15,000, additional forms must be completed and filed with proposals: (1) a signed copy of the Proposal Checklist including required certifications under the State Finance Law and (2) a completed Disclosure of Prior Findings of Non-Responsibility form. Failure to include a signed copy of the Proposal Checklist referenced in this solicitation will disqualify your proposal.

Proposals should not be excessively long or submitted in an elaborate format that includes expensive binders or graphics. Unnecessary attachments beyond those sufficient to present a complete, comprehensive, and effective response will not influence the evaluation of the proposal. Each page of the proposal should state the name of the proposer, the RFQL number, and the page number.

IV. Proposal Evaluation

All proposals that meet the requirements established in this RFQL will be reviewed by a Technical Evaluation Panel (TEP) using the following evaluation criteria:

1. Does the proposer have adequate resources for performance or the ability to obtain such resources as required during performance?
2. Does the proposer have the necessary and relevant experience, organization, technical qualifications, skills, and facilities, or the ability to obtain them, including subcontractor arrangements?
3. Does the proposer demonstrate a clear understanding of Executive Order No. 4 requirements, including a comprehensive knowledge of the printing specification and ink specification; and has the proposer adequately shown its level of achievement toward EcoLogo™ or SGP certification standards?
4. Does the proposer demonstrate that it can provide a timely, sometimes one-day, turnaround throughout the contract period, on an as needed basis?
5. Does the proposer demonstrate a satisfactory record of performance?
6. Does the proposer have competitive rates?

V. General Conditions

Proprietary Information - Careful consideration should be given before confidential information is submitted to NYSEDA as part of your proposal. Review should include whether the confidential information is critical for evaluating a proposal, and whether general, non-confidential information may be adequate for review purposes. The NYS Freedom of Information Law, Public Officers law, Article 6, provides for public access to information NYSEDA possesses. Public Officers Law, Section 87(2)(d) provides for exceptions to disclosure for records or portions thereof that "are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information submitted to NYSEDA that the proposer wishes to have treated as proprietary and confidential trade secret information, should be identified and labeled "Confidential" or "Proprietary" on each page at the time of disclosure. This information should include a written request to exempt it from disclosure, including a written statement of the reasons why the information should be exempted. See Public Officers Law, Section 89(5) and the procedures set forth in 21 NYCRR Part 501 <http://nyserda.ny.gov/~media/Files/About/Contact/NYSEDARegulations.ashx>. However, NYSEDA cannot guarantee the confidentiality of any information submitted.

Omnibus Procurement Act of 1992 - It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises, as bidders, subcontractors, and suppliers on its procurement Agreements.

Information on the availability of New York subcontractors and suppliers is available from:

Empire State Development
Division For Small Business
625 Broadway
Albany, NY 12207

A directory of certified minority- and women-owned business enterprises is available from:

Empire State Development
Minority and Women's Business Development Division
625 Broadway
Albany, NY 12207

State Finance Law sections 139-j and 139-k - NYSERDA is required to comply with State Finance Law sections 139-j and 139-k. These provisions contain procurement lobbying requirements which can be found at <http://www.ogs.ny.gov/aboutogs/regulations/advisoryCouncil/StatutoryReferences.html>

The attached Proposal Checklist calls for a signature certifying that the proposer will comply with State Finance Law sections 139-j and 139-k and the Disclosure of Prior Findings of Non-responsibility form includes a disclosure statement regarding whether the proposer has been found non-responsible under section 139-j of the State Finance Law within the previous four years.

Tax Law Section 5-a - NYSERDA is required to comply with the provisions of Tax Law Section 5-a, which requires a prospective contractor, prior to entering an agreement with NYSERDA having a value in excess of \$100,000, to certify to the Department of Taxation and Finance (the "Department") whether the contractor, its affiliates, its subcontractors and the affiliates of its subcontractors have registered with the Department to collect New York State and local sales and compensating use taxes. The Department has created a form to allow a prospective contractor to readily make such certification. See, ST-220-TD (available at http://www.tax.ny.gov/pdf/current_forms/st/st220td_fill_in.pdf).

Prior to contracting with NYSERDA, the prospective contractor must also certify to NYSERDA whether it has filed such certification with the Department. The Department has created a second form that must be completed by a prospective contractor prior to contacting and filed with NYSERDA. See, ST-220-CA (available at http://www.tax.ny.gov/pdf/current_forms/st/st220ca_fill_in.pdf). The Department has developed guidance for contractors which is available at <http://www.tax.ny.gov/pdf/publications/sales/pub223.pdf>.

Contract Award - NYSERDA anticipates making multiple awards under this solicitation. It may award a contract based on initial applications without discussion, or following limited discussion or negotiations pertaining to the Statement of Work. Each offer should be submitted using the most favorable cost and technical terms. NYSERDA may request additional data or material to support proposals. NYSERDA will use the Sample Agreement to contract successful proposals. NYSERDA reserves the right to limit any negotiations to exceptions to standard terms and conditions in the Sample Agreement to those specifically identified in the submitted proposal (see Proposal Checklist). Proposers should keep in mind that acceptance of all standard terms and conditions will generally result in a more expedited contracting process. NYSERDA expects to notify proposers in approximately six to eight weeks from the proposal due date whether your proposal has been selected to receive an award. NYSERDA may decline to contract with awardees that are delinquent with respect to any obligation under any previous or active NYSERDA agreement.

Limitation - This solicitation does not commit NYSERDA to award a contract, to pay any costs incurred in preparing a proposal, or to procure or contract for services or supplies. NYSERDA reserves the right to accept or reject any or all proposals received, to negotiate with all qualified sources, or to cancel in part or in its entirety the solicitation when it is in NYSERDA's best interest. NYSERDA reserves the right to reject proposals based on the nature and number of any exceptions taken to the standard terms and conditions of the Sample Agreement.

Disclosure Requirement - The proposer shall disclose any indictment for any alleged felony, or any conviction for a felony within the past five years, under the laws of the United States or any state or territory of the United States, and shall describe circumstances for each. When a proposer is an association, partnership, corporation, or other organization, this disclosure requirement includes the organization and its officers, partners, and directors or members of any similarly governing body. If an indictment or conviction should come to the attention of NYSERDA after the award of a contract, NYSERDA may exercise its stop-work right pending further investigation, or terminate the agreement; the contractor may be subject to penalties for violation of any law which may apply in the

particular circumstances. Proposers must also disclose if they have ever been debarred or suspended by any agency of the U.S. Government or the New York State Department of Labor.

VI. Attachments:

- **Attachment A - Printing Services Proposal Checklist**
- **Attachment B - Disclosure of Prior Findings of Non-Responsibility**
- **Attachment C - Cost Quotation form for Example Projects**
- **Attachment D - Executive Order No. 4**
- **Attachment E - Printing Specification as pertains to EO No 4**
- **Attachment F - Ink Specification as pertains to EO No 4**
- **Attachment G - EcoLogo™ Certification Criteria**
- **Attachment H - Sustainable Green Printing Partnership (SGP) Certification Criteria**
- **Attachment I - NYSERDA Sample Agreement**